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NORTHERN DISTRICT OF CALIFORNIA

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ELECTRONIC FRONTIER FOUNDATION and
8 FRED VON LOHMANN

9
10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

JSW

CV 10 80 276 MISC

14 In re Subpoenas to Electronic Frontier
Foundation and Fred von Lohmann

) Case No. _____
) [Related to *Arista Records v. Lime Wire LLC*,
) No. 06-5936 (KMW) (S.D.N.Y.)
)

) STIPULATION TO SET EXPEDITED
) BRIEFING AND HEARING SCHEDULE
) ON MOVANTS' EXPEDITED MOTION
) TO QUASH SUBPOENAS
)

) [Local Civil Rule 6-2]
)

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1 Plaintiffs in *Arista Records LLC v. Lime Group LLC*, No. 06-5936 (S.D.N.Y.) served
2 subpoenas on the Electronic Frontier Foundation and Fred von Lohman (the "Movants"). The
3 subpoenas originally sought depositions and production of documents on November 12, 2010.
4 Discovery in the Southern District action currently closes on November 25, 2010, subject to a
5 reported pending request by Defendants to extend discovery.

6 Movants and Plaintiffs have conferred about the subpoenas. Movants determined they
7 needed to file a motion to quash. Movants and Plaintiffs have agreed on an alternate deposition date
8 of November 23, 2010 and an expedited briefing schedule and hearing date that would facilitate
9 resolution of Movants' motion to quash ahead of the agreed deposition date and discovery cut-off
10 date.

11 Movants and plaintiffs therefore stipulate, and request the Court to order, that, absent an
12 extension of the discovery period in the Southern District action:

- 13 1. Movants have until Monday, November 8, 2010 to serve by email the expedited motion
14 to quash;
- 15 2. Plaintiffs have until Friday, November 12, 2010 to serve by email any opposition;
- 16 3. Movants have until Tuesday, November 16, 2010 to serve by email any reply;
- 17 4. A hearing on the motion shall be set for _____ (any
18 time convenient for the Court) on November 19, 2010.

19 In the event that the pending request by Defendants to extend discovery is granted in the
20 Southern District action, Movants and Plaintiffs promptly will meet and confer regarding (and notify
21 the Court regarding) alternate briefing, hearing and deposition dates. Unless otherwise agreed by the
22 parties and approved by the Court, the revised briefing schedule will comply as closely as
23 practicable with the timeframes set out in Northern District of California Civil Local Rules 7-2(a), 7-
24 3(a) & 7(c) which provide Plaintiffs with a minimum of 14 days after receipt of the motion to serve
25 an opposition, provide Movants a minimum of 7 days after receipt of the opposition to serve a reply,
26 and provide a minimum of 14 days between the service of the reply and the hearing date.

27 There has been no previous time modification in this matter and the changes should not have
28 any adverse effects on the case schedule.

1 Dated: November 8, 2010

WINSTON & STRAWN LLP

2 By: 

3 Andrew P. Bridges
4 Matthew A. Scherb
5 Kathleen Lu

Attorneys for Movants
ELECTRONIC FRONTIER FOUNDATION and
FRED VON LOHMANN

6 Dated: November 8, 2010

MUNGER, TOLLES & OLSON LLP

7 By: 

8 Susan T. Boyd
9 Attorneys for Plaintiffs in
Arista Records LLC v. Lime Group LLC,
No. 06-5936 (S.D.N.Y.)

10 PURSUANT TO STIPULATION, IT IS SO ORDERED.

11 Dated: _____

UNITED STATES DISTRICT JUDGE

Winston & Strawn LLP
101 California Street
San Francisco, CA 94111-5802